

REMARKS

Applicant notes with appreciation that claim 20 has been indicated to contain allowable subject matter. Claim 20 has therefore been amended to be in independent form and to include all of the limitations of its base claim 22.

In response to the rejection of claims 1, 6, 7, 23, 24 and 26 under 35 U.S.C. 102(b), as anticipated by Brown et al. 4,266,726, and in order to yet more clearly define applicant's invention, independent claim 1 has been amended to recite that "at the beginning or end of dispense at least one, but less than all, of the dispense valves are closed." This same limitation is included in claims 6 and 7, which depend from claim 1, as well as in claims 23 and 24, which have been amended to depend from claim. Claim 26 has been cancelled.

The feature of at least one, but less than all, of the dispense valves being closed at the beginning or end of a dispense, in order to provide a lower flow rate of beverage, is not found in Brown et al. Brown et al. teaches, at column 5, lines 49-54, that the handle 125 is moved to energize the solenoids 19 and 27 for an appropriate time to permit flow of the proper amounts of concentrate and water. This teaching can only reasonably be interpreted to mean that movement of the handle 125 either actuates or de-actuates both solenoids 19 and 27 simultaneously, to either simultaneously open or simultaneously close each of the beverage valves. The simply is no teaching or suggestion in Brown et al. that the beverage concentrate and water valves can or should be controlled, at the

beginning and/or end of a beverage dispense, such that one of the valves is closed while the other is open.

Accordingly, Brown et al. neither anticipate nor make obvious independent claim 1 and its dependent claims 6, 7, 23 and 24, and it is respectfully submitted that those claims are allowable.

The rejection of claims 12, 13, 16, 17, 21, 22, 25 and 27, as anticipated by Pirker et al. 6,056,208, also is respectfully traversed. In response to this rejection, and to yet more clearly define applicant's invention, these claims have been amended to recite that the dispense nozzle has a lower beverage outlet, and that the means for admitting air to the dispense nozzle comprises an airway that admits air to the dispense nozzle upstream from the outlet, in order to drain beverage from the dispense nozzle through the outlet. This feature is not taught by Pirker et al., in which removal of liquid from the nozzle at the end of dispense is accomplished by means of applying a negative pressure airflow to suck liquid from the nozzle through openings upstream from the nozzle outlet. The end result is that liquid remaining in the nozzle does not exit the nozzle opening (since Pirker et al. do not want dripping from the nozzle), but instead is sucked from the nozzle through the upstream openings. This is contrary of the intent of and result achieved by applicant's claimed invention, in which it is desired to promote draining of beverage remaining in the nozzle out of the nozzle outlet and into a customer's cup at the end of dispense.

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Accordingly, it is respectfully submitted that claims 12, 13, 16, 17, 21, 22, 25 and 27 are neither anticipated by or obvious in view of Pirker et al., and that these claims are allowable.

In view of the foregoing, and as all of the claims remaining in the application appear to be allowable, favorable reconsideration and early passage of the application to allowance are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert A. Lloyd". The signature is fluid and cursive, with the first name "Robert" being more prominent.

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